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## **PRESS RELEASE**

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**FOR IMMEDIATE RELEASE**

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# **MEXICAN NATIONAL INDICTED IN ALIEN SMUGGLING OFFENSE INVOLVING ALLEGED SEXUAL ASSAULT**

TUCSON, Ariz. – On December 8, 2004, a federal grand jury in Tucson, Ariz. returned a five-count indictment against Timoteo Santos Ramos, DOB 1/19/76, of Mexico. The indictment charges that between March 2003 and July 2003, in the vicinity of Sasabe, Ariz., Ramos conspired to bring in and transport two illegal aliens into the U.S. for the purpose of commercial advantage and private financial gain. The indictment charges that Ramos created a substantial risk of death or serious bodily injury to the female alien in that during the offense, the defendant sexually assaulted her. It also charges that it caused extreme psychological injury to the female alien in that she became pregnant as a result of the sexual assault and subsequently gave birth to Ramos' child. The other counts in the indictment charge bringing in and transportation of the two illegal aliens.

According to facts mentioned in a federal complaint filed on November 9, 2004, agents from the Fresno, Calif. office of U.S. Immigration and Customs Enforcement (ICE), took sworn statements from a brother and sister, Santiago Lopez-Hernandez and Luisa Lopez-Hernandez, both Mexican citizens illegally in the U.S. According to the pair, for \$1,000 each they were smuggled at different times by Ramos after he had approached them in March, 2003, in their hometown of Camalau, Baja California, Mexico.

Ramos first smuggled Santiago Lopez-Hernandez into the U.S. through Sasabe, Ariz., and then on up to Oxnard, Calif. in March, 2003. Ramos then smuggled in Luisa Lopez-

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Hernandez in April, 2003. Both positively identified Ramos as the smuggler from a photographic lineup.

"This is another example of the brutalization that human smugglers subject their paying customers to ," said Kent Johansson, deputy special agent-in-charge of the ICE office of investigations in Tucson, Ariz. "This case also reflects how valuable our cooperation with local and state enforcement offices has been."

Paul Charlton, U.S. Attorney for the District of Arizona, added that "prosecutions of those who use violence in committing their crimes are a priority for the U.S. Attorney's office."

The federal indictment charges Timoteo Santos Ramos with violating Title 8, U.S. Code, Sections 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i), 1324(a)(1)(A)(v)(I), and 1324(a)(2)(B)(ii), Conspiracy to Transport Illegal Aliens for profit, Bringing in Illegal Aliens for profit, and Transporting Illegal Aliens for profit.

A conviction for Conspiracy to Transport Illegal Aliens for profit carries a maximum penalty of ten years in prison, a \$250,000 fine or both. A conviction for Bringing In Illegal Aliens for profit carries a maximum penalty of ten years in prison and a mandatory minimum sentence of three years, a \$250,000 fine or both. A conviction for Transporting Illegal Aliens for profit carries a maximum penalty of ten years in prison, a \$250,000 fine or both.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The joint investigation preceding the indictment was conducted by ICE agents from Tucson, Ariz. and Fresno, Calif. and by detectives from the Madera CO, California Sheriff's Department. The prosecution is being handled by Raquel Arellano, Assistant U.S. Attorney, Tucson, Ariz.

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